

**THE MINUTES  
FOR THE NOVEMBER 4, 2015  
MEETING OF THE BOARD OF TRUSTEES  
OF THE INCORPORATED VILLAGE OF NORTHPORT  
REGULAR MEETING  
6:00 PM.**

Present: Mayor Doll, Trustees Maline, McMullen, Milligan and Tobin, Village Attorney Stuart Besen, Village Clerk Donna Koch, Village Treasurer Len Marchese

Absent: Village Administrator Tim Brojer.

**ANNOUNCEMENTS:** no announcements.

**PRESENTATIONS:** no presentations.

**PUBLIC HEARINGS:** no public hearings.

**PUBLIC PARTICIPATION:**

Members of Boy Scout troop 410 addressed the Board seeking permission to hold the 7<sup>th</sup> annual Polar Bear Swim January 1, 2016 12 noon at Steers Beach. The Board approved this request.

Representatives from Signature Properties addressed the Board seeking permission for the 2<sup>nd</sup> annual Handsome Cab/Carriage rides through the park on December 12, 2015 from 12 noon to 3:00 PM. The rides will be in the park only. The Board approved this request.

**BOARD APPROVAL OF WARRANT:**

On the motion of Trustee Maline and seconded by Trustee McMullen the following bills were approved for payment.

**Fiscal Year 2015/2016 General Fund bills in the amount of \$ 27,740.44**

On the motion of Trustee Tobin and seconded by Trustee McMullen the following bills were approved for payment.

**Fiscal Year 2015/2016 Sewer Fund bills in the amount of \$ 6,697.59**

On the motion of Trustee Maline and seconded by Trustee Tobin the following bills were approved for payment.

**Fiscal Year 2015/2016 Capital Fund bills in the amount of \$77,051.25**

**COMMISSIONER REPORTS:**

Trustee Maline reported the parks department has been busy planting spring bulbs.

Trustee McMullen reported everything at the sewer plant is going well.

Trustee Tobin reported he, the Village Attorney and the Treasurer had a conference call with Suffolk County concerning the 1.5 million dollar NYS pass through grant. There was extreme lack of clarity and hoops to jump through but we have now been able to clean up the process and are now back on track.

Trustee Milligan reported the E-Waste facility is now up and running down at Scudder Park. The facility will be open Tuesday and Thursday from 8:00 AM till 3:00 PM and on Saturdays from 8:00 AM till noon. The facility is also open to Asharoken residents.

Mayor Doll reported all is well with the Highway Department who have been busy getting the holiday lights ready, trimming trees, the street sweeper is out.

**ADMINISTRATOR REPORT:** Mr. Brojer was upstate this evening attending an arson investigative training seminar.

**CHIEF OF POLICE REPORT:** Chief Ricca reported the department responded to 519 calls, issued 216 summonses, made 21 arrests including 4 DWIs, 2 sales of marijuana and 5 possession of drugs.

**TREASURER REPORT:** Mr. Marchese reported the financing for the new highway truck is complete.

**NEW BUSINESS:** Trustee McMullen and Trustee Milligan jointly reported on their investigation into getting new cameras for the park, dock and Sewerplant areas. These cameras will upgrade the system with better resolution technology.

**OLD BUSINESS:** no old business was discussed this evening.

**REQUESTS:** Requests were handled during public participation.

**CORRESPONDENCE:** the Mayor stated he received two letters asking that something be done about the deer population, the dogs in the park, a stop sign in the Village parking

**RESOLUTIONS:**

On the motion of Trustee Milligan and seconded by Trustee McMullen the following resolution was unanimously approved.

**RESOLUTION 2015- 158 ~ APPROVAL OF THE OCTOBER 20, 2015 MINUTES**

**WHEREAS:** Copies of the minutes of the October 20, 2015, meeting were sent to the Board for approval, therefore,

**BE IT RESOLVED** that said minutes are approved without reading, at this time.

On the motion of Trustee Maline and seconded by Trustee McMullen the following resolution was unanimously approved.

**RESOLUTION 2015– 160 ~ FIRE MARSHAL**

**BE IT RESOLVED:** Village Administrator Tim Brojer is hereby authorized to work Saturday's as Village Fire Marshal at a rate of \$30.00/hr. not to exceed \$3000.00 without further resolution authorization from the Board of Trustees.

On the motion of Trustee Maline and seconded by Trustee McMullen the following resolution was unanimously approved.

**RESOLUTION 2015– 161 ~ SET PUBLIC HEARING ON PROPOSED LOCAL LAW "G" OF 2015**

**PLEASE TAKE NOTICE:** that a Public Hearing of the Village Board of Trustees will be held at the Village Hall, 224 Main Street, Northport, New York at 6:00 o'clock in the evening of the 1<sup>st</sup> day of December 2015, to consider the following proposed local law:

**PART II GENERAL LEGISLATION**

**Chapter 107-FIRE PREVENTION**

**This chapter shall be known and may be cited as the "Fire Prevention Code."**

**Section 107-1 Legislative Intent.**

- A. It is the intention of the Village Trustees to establish regulations to safeguard life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use or occupancy of land or buildings, whether or not the land is improved or the building is occupied.
- B. The Village Trustees hereby adopts the provisions of the Fire Code of New York State and successor law for application within its jurisdictional borders, which shall be enforced in accordance with the enforcement provisions of this chapter to the fullest extent permitted by law.
- C. The Village Trustees intends to enforce the provision of the Fire Code of New York State; the standards and regulations published by the National Fire Protection Association; and the provisions of this Chapter to prevent the loss of life and the destruction of property.
- D. Pursuant to Section 119.1 (Administration and Enforcement) of the New York State Uniform Fire Prevention & Building Code; 19 NYCRR Section 1203.2; Executive Law Section 381(2) and Section 382; Municipal Home Rule Law Section 10(1)(ii)(a)(11) and (12), Section 10(1)(ii)(d)(3), Section 10 (3)(b) and (4)(a) and (b); Town Law Section 130(3-a),(5),(11),(15) and (16); and other applicable laws, rules, and regulations, or

successor laws, the enforcement provisions of this Chapter shall control and supersede any remedy or enforcement provision contained in the Fire Code of New York State, and other applicable state law, rule, regulation or successor law to the fullest extent permitted by law.

### **Section 107-2 Scope.**

This chapter establishes regulations affecting or relating to buildings, structures, installations, processes, premises and safeguards regarding:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices;
2. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises;
3. Fire hazards in the structure or on the premises from occupancy or operation.
4. Matters related to the construction, extension, repair, alteration or removal of fire suppression or fire alarm systems.

### **Section 107-3 Conflicting provisions.**

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

### **Section 107-4 Definitions**

For the purpose of this Chapter the following terms shall have the meanings indicated. Where terms are not defined in this chapter and are defined in the Fire Code of New York State, Building Code of New York State, Mechanical Code of New York State, Fuel Gas Code of New York State, Residential Code of New York State, Property Maintenance Code of New York State or the Plumbing Code of New York State, such terms shall have the meanings ascribed therein. Where terms are not defined through the methods authorized by this section, such terms shall have their ordinary accepted meaning.

#### **Approved**

Acceptable to the fire code official.

#### **Automatic Fire-Extinguishing System**

A listed system of devices and equipment that automatically detects a fire and discharges an approved fire-extinguishing agent onto or in the area of a fire.

#### **Automatic Sprinkler System**

A sprinkler system, for fire protection purposes, is an integrated system of underground and overhead piping designated in accordance with fire protection engineering standards. The system includes a suitable water supply. The portion of the system above the ground is a network of specially sized or hydraulically designed piping installed in a structure or area, generally overhead, and to which automatic sprinklers are connected in a systematic pattern. The system is usually activated by heat from fire and discharges water over the fire area.

#### **Carbon Dioxide Extinguishing System**

A system supplying carbon dioxide (CO<sub>2</sub>) from a pressurized vessel through fixed pipes and nozzles. The system includes a manual or automatic actuating mechanism.

**Clean Agent Extinguishing System**

A fire-extinguishing system using electrically non-conducting, volatile, or gaseous fire extinguishant that does not leave a residue upon evaporation.

**Construction Permit**

A construction permit allows the applicant to install or modify fire protection equipment.

**Dormitory**

A building primarily providing sleeping and/or residential quarters for large numbers of people including but not limited to boarding school, college or university students.

**Dwelling Unit**

A single unit providing complete, independent living facilities for one or more persons, including provisions for living, sleeping, eating, cooking and sanitation.

**Fire Alarm System**

A system or portion of a combination system consisting of components and circuits arranged to monitor and annunciate the status of fire alarms or supervisory signal-initiating devices and to initiate the appropriate response to those signals.

**Fire Code Official**

The Village of Northport Chief Fire Marshal, Senior Fire Marshal or Fire Marshal charged with the administration and enforcement of the Fire Code of New York State or the Fire Prevention Code of the Village of Northport.

**Fire Protection Equipment**

Listed devices, equipment and systems or combinations of systems used to detect a fire, activate an alarm, extinguish or control a fire, control or manage smoke and products of a fire or any combination thereof. Fire protection systems include; automatic fire-extinguishing systems, automatic sprinkler systems, carbon dioxide extinguishing systems, clean agent extinguishing systems, fire alarm systems, foam-extinguishing systems, mechanical smoke control systems, and halogenated extinguishing systems.

**Foam-Extinguishing System**

A special system discharging foam made from concentrates, either mechanically or chemically, over the area protected.

**Habitable Space**

Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas are not considered habitable space.

**Halogenated Extinguishing System**

A fire-extinguishing system using one or more atoms of an element from the halogen chemical series: fluorine, chlorine, bromine and iodine.

**High-Piled Combustible Storage**

The storage of combustible materials in closely packed piles on pallets, in racks or on shelves where the top of the storage is greater than twelve (12) feet in height. High piled

combustible storage also includes certain high-hazard commodities, such as rubber tires, Group A plastics, flammable liquids, roll paper, idle pallets and similar commodities, where the top of the storage is greater than six (6) feet in height.

**High-Piled Storage Area**

An area within a building or structure that is designated, intended, proposed or actually used for high-piled combustible storage.

**Hot Work**

Operations including cutting, welding, thermite welding, thawing pipe, installation of torch-applied roof systems or any other similar activity.

**Hot Work Area**

The area exposed to sparks, hot slag, radiant heat, or convective heat as a result of the hot work

**Limited License**

A limited license is issued to an individual to proceed with a specific activity concerning the installation, repair, or modification of fire protection equipment. Limited licenses are issued for Fire Suppression Clean Agent systems, Fire Suppression Industrial Systems, Fire Suppression Kitchen Systems, and Fire Sprinkler systems.

**Listed**

Equipment or materials included on a list published by an approved testing laboratory, inspection agency or other organization concerned with current product evaluation that maintains periodic inspection of production of listed equipment or materials, and whose listing states that equipment or materials comply with approved nationally recognized standards and have been tested or evaluated and found suitable for use in a specified manner.

**Mixed Use Occupancy**

A building or portion thereof that is utilized or occupied for more than one use or purpose. Mixed use occupancies may include residential dwelling units.

**Multiple Residence**

A building or portion thereof designed for or occupied by three or more family units living independently of each other and are classified as Group R-2 under the Fire Code of New York State.

**Occupancy**

The purpose for which a building or portion thereof is utilized or occupied.

**Occupiable Space**

A room or enclosed space designed for human occupancy in which individuals congregate for amusement, educational or other purposes or in which occupants engage at labor, which is equipped with means of egress and light and ventilation facilities meeting the requirements of the Building Code of New York State.

**Open Burning**

The burning of materials where products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudge pots and similar devices associated with safety or occupational uses.

**Operational Permit**

An operational permit allows the applicant to conduct an operation, activity, or business for which a permit is required under this Chapter for either a prescribed period, or until renewed or revoked.

#### **Permit**

A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property; or to install equipment utilized in connection with such activities; or to install or modify any fire protection system or equipment or any other construction, equipment, installation or modification for which the permit is issued.

#### **Person**

An individual, business entity, association, or a group acting as a unit.

#### **Place of Assembly**

The use of a building or structure, or a portion thereof, for the gathering of less than fifty (50) people for purposes including but not limited to civic, social or religious functions, recreation, food or drink consumption or awaiting transportation.

#### **Place of Public Assembly**

The use of a building or structure, or a portion thereof, for the gathering of fifty (50) or more people for purposes including but not limited to civic, social or religious functions, recreation, food or drink consumption or awaiting transportation

#### **Recreational Fire**

An outdoor fire burning materials other than rubbish for pleasure, religious, ceremonial, cooking, warmth or similar purposes.

#### **Smoke Control System**

An engineered system that uses mechanical fans to produce pressure differences across smoke barriers or to establish air flows to limit and direct smoke movement.

#### **Torch Applied Roof System**

Bituminous roofing systems using membranes that are adhered by heating with a torch and melting asphalt back coating instead of mopping hot asphalt for adhesion.

#### **Section 107-5 Bureau Fire Prevention**

The Bureau of Fire Prevention is a division of the Village of Northport Building Department, under the supervision of the Northport Village Administrator. The Fire Marshal(s) shall have such powers necessary for the proper administration consistent with applicable provisions of law. The Bureau shall have additional enforcement personnel including part time Fire Marshals, if deemed necessary.

#### **Section 107-6 Qualifications of Fire Marshal**

The Chief Fire Marshal shall be a graduate of a State Code Enforcement training program established by the State of New York and shall meet the requirements of all applicable laws and regulations. If at the time of appointment he lacks completion of a state approved course of study in fire prevention and protection, such course shall be completed within eighteen (18) months after the appointment.

#### **Section 107-7 Duties of the Fire Marshal**

- A. The Fire Marshal shall administer and enforce the Fire Prevention Code of the Village of Northport, the Fire Code of the State of New York, and the provisions of all other applicable laws and rules, and shall perform the following duties:
- (1) Investigation of fires: all major fires within the Village shall be investigated for cause and origin.
  - (2) Plan, review: review of all system plans and design specifications, pertaining to the issuance of construction permits.
  - (3) Inspection: inspection of sprinkler system installations, standpipe system installations, commercial fire detection and fire alarm system installations, alternate agent suppression system installations; and preparation of inspection reports.
  - (4) Enforcement: issuance of notices of violation and summonses and provide assistance to the Village Attorney and other village departments in the prosecution of violations in the Village of Northport, including but not limited to Section 87-25 of the Village code.
  - (5) Complaints: review and assign personnel to investigate all complaints pertaining to the existence of conditions or activities that fail to comply with the Fire Code of New York State, the provisions of this chapter and, or other applicable laws and rules.
  - (6) Instructional: preparation and distribution of literature on fire prevention and protection, and training of Fire Code Officials regarding the inspection procedures.
  - (7) Permits: the granting or denial of construction permits; the granting or denial of operating permits after inspection and report by the Fire Code Officials, except that permits for household or commercial burning may also be granted or denied by local fire district authorities.
  - (8) Records: maintenance of records and preparation of statistics on matters pertaining to fire prevention in the Village of Northport, such as permits, violations, complaints, summonses issued, disposition of court cases and number, location, cause and type of fires.
  - (9) Standard forms: standardization of forms and procedures utilized by all Fire Code Officials regarding matters which pertain to the Fire Prevention Code of the Village of Northport and Fire Code of New York State.
  - (10) Liaison: liaison between all fire service agencies and other Village departments.
  - (11) Fees: collection of fees resulting from the review and inspection of construction permits, operating permits, and property maintenance inspections.
  - (12) Reports: submission of an annual report to the Village Trustees containing a review of the operations of the Bureau, recommending necessary changes and providing related statistics and other information requested by the Village Trustees.
  - (13) Supervision: coordinate the activities of Fire Code Officials.



**Section 107-8 Authority to enter premises.**

If, in the judgment of the Fire Code Official, an emergency exists as when a condition or hazard is an immediate peril to the public health and safety, or a serious and immediate danger to property, he may enter any building or structure, during reasonable hours, to inspect and investigate.

**Section 107-9 Notification of fire or explosion**

The chief of any fire department providing firefighting services within the Village of Northport shall promptly notify the Chief Fire Marshal of any fire or explosion involving any structural damage to a building, fuel burning appliance, chimney or gas vent on property within his jurisdiction.

On the motion of Trustee Maline and seconded by Trustee McMullen the following resolution was unanimously approved.

**RESOLUTION 2015 –162 ~ BUDGET TRANSFER**

**BE IT RESOLVED:** The Village Treasurer is hereby authorized to make the following budget transfers; see Schedule "A"

The next regular meeting of the Board of Trustees will be on Tuesday November 17, 2015 at 6:00 P.M

**A RESOLUTION FOR AN EXECUTIVE SESSION:** if necessary, for personnel and/or litigation matters.

Respectfully submitted,

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Donna M. Koch, Village Clerk